

EXHIBIT M

1 A. That matters.

2 Q. In your New Jersey report, you identify two
3 meshes that you analyzed where you did not observe any
4 cracking. Do you recall that?

5 A. I recall that, yes, sir.

6 Q. Did you do FTIR analysis on the two meshes
7 where you did not observe any cracking?

8 MR. THORNBURGH: Objection.

9 Q. It is at the back of the report.

10 A. I'm looking. This is the back. The
11 New Jersey -- I got to go -- let's look in here first.
12 I don't think I show it here.

13 Which one am I looking for, Dave?

14 Q. I don't have a cite for you to the page number.
15 I was just asking --

16 A. Go to page 143 and you'll be right there.

17 Q. Do you recall whether you did FTIR analysis of
18 the explants for which you found no cracking?

19 A. Let's see. Can you give me the ID of one of
20 the samples? They would be in the -- I might have it
21 here.

22 Q. Samples 13,419 and 13,421 showed no visible
23 signs of cracking, per page 92 of your Bellew expert
24 report.

25 A. There's a bunch more that were run that aren't

1 recorded in the -- that's 13,419, 13,400, 13,405,
2 13,412. It doesn't appear that I have spectra of those.

3 Q. Do you know whether spectra were taken of
4 samples 13,419 and 13,421 and not included in your
5 report?

6 A. It's possible, but I doubt it. I can check.

7 Q. Okay.

8 A. Since they didn't show cracking, they gave no
9 evidence of oxidation, which we readily admitted in the
10 report.

11 Q. I understand. And that's what I wanted to
12 understand is once you concluded that 13,419 and 13,421
13 did not show cracking under scanning electron
14 microscopy, you concluded that there was no need to test
15 further?

16 A. Correct. And we made no allusions to them
17 being damaged in the report. Just the fact -- we made
18 it just the opposite, that they weren't damaged.

19 Q. Do you still have those samples?

20 A. No, sir. They've been sent back to Steelgate.

21 MR. THORNBURGH: As you know, David, we've
22 offered those to the defendants for now over a year.

23 THE WITNESS: They're at Steelgate. They can
24 still obtain them if they want.

25 MR. THORNBURGH: They know they can. I've

1 COMMONWEALTH OF MASSACHUSETTS

2 SUFFOLK, SS.

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4 I, Michelle Keegan, Registered Merit Reporter and

5 Notary Public in and for the Commonwealth of

6 Massachusetts, do hereby certify that HOWARD JORDI,

7 PH.D., the witness whose deposition is hereinbefore set

8 forth, was duly sworn by me and that such deposition is

9 a true record, to the best of my ability, of the

10 testimony given by the witness.

11 I further certify that I am neither related to nor

12 employed by any of the parties in or counsel to this

13 action, nor am I financially interested in the outcome

14 of this action.

15 In witness whereof, I have hereunto set my hand and

16 seal this 25th day of August, 2014.

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21 Notary Public

22 My commission expires:

23 May 16, 2019

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